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EXECUTIVE DIRECTOR'S VOICE

COVID-19 Impacts

If you don't ask for consideration, you won't get consideration

By Leslie Jermyn
 Executive Director, QUFA

QUFA negotiated the first COVID-19 Emergency Memorandum of Understanding (MOU) in spring 2020 to record changes to QUFA Members' terms and conditions of work under pandemic emergency conditions. The full MOU and subsequent agreements between QUFA and Queen's regarding COVID-19 Emergency effects on working conditions can be found on the QUFA Web site.¹

I want to draw your attention to one Schedule of the original MOU that describes how Members may ask for and be granted consideration in personnel processes if there were negative impacts on their performance resulting from the COVID-19 emergency. You can also find Schedule D on the QUFA Web site.²

There are a couple of elements of Schedule D that apply to everyone without any requirement that the Member draw attention to their particular situation. Those are:

- **Teaching assessment:** There is no penalty for the absence of survey data from Winter 2020,

QUFA IMAGES

All Out for Childcare



Rebecca Hall

This past summer, QUFA Members Lisa Pasolli and Rebecca Hall began to organize locally in support of a national childcare plan. They started with a morning of letter writing in McBurney Park that saw more than forty people come out to write to MPPs to express their support for better childcare. Read more about their advocacy on pp. 3-4 of this issue of QUFA Voices.

but Members are encouraged to submit other evidence of effective teaching, such as their teaching dossiers or Member course surveys.

- **Term Adjunct Specific Right of Reappointment (SRoR):** SRoR is retained across modes of course delivery when those shift because of the COVID-19 emergency.

However, the majority of elements in the Schedule extend consideration to Members who clearly explain how the

COVID-19 emergency impacted their work. For example, a Member with young children who, during lockdown, could not access childcare, and thus could not do the same quantity or quality of work, has the right to explain this and ask for consideration in personnel processes such as renewal, tenure, promotion, and merit review. This is covered under "Social Services" (Section 4).

If Members who were affected in this way do not explicitly report the impact, however, there is no

ANNOUNCEMENT QUFA Fall General Meeting

The QUFA Fall General Meeting takes place

**Thursday 16 December 2021
1.00 p.m. – 3.00 p.m.
via Zoom**

Please RSVP to Elizabeth Polnick (ep43@queensu.ca) by 14 December 2021 for Zoom details. More information can be found on the QUFA Web site:

<https://www.qufa.ca/event/qufa-fall-general-meeting-3/>

obligation for the assessors to take it into account, *even if you believe that they should know you have children and were impacted by school and daycare closures*. The onus is on the Member to explain how their work was affected and this applies equally to impacts from alterations in:

- **Section 2:** the balance of responsibilities across teaching, research and service;
- **Section 3:** altered facilities and support provided by Queen's;
- **Section 4:** social services, public and private; and
- **Section 5:** loss of research funding opportunities.

The next personnel process that will affect all full-responsibility faculty, librarians, and archivists is biennial

ON THE WEB Queen's-QUFA COVID-19 Letter of Understanding

QUFA has negotiated some key revisions to the Collective Agreement with Queen's University, which are contained in a Letter of Understanding (LOU).

The most up-to-date information can be found on the QUFA COVID-19 Web site:

<https://www.qufa.ca/qufa-covid-19-watch/>

merit for the 2020 and 2021 calendar years. Faculties will provide forms that allow you to report COVID-19 impacts on your teaching, research, and service during this period. It is imperative that you take the time and make the effort to do so if any area of your work was affected in the ways described in Schedule D.

Notes

¹<https://www.qufa.ca/qufa-covid-19-watch/>

²https://www.qufa.ca/wp-content/uploads/2020/05/Schedule-D-to-COVID-LOU-fully-executed-May-23_2020.pdf

Leslie Jermyn can be reached at jermynl@queensu.ca.

YOU ARE INVITED QUFA Fall Events

As we have done in previous years, we're offering virtual "Lunch and Learn" sessions with Meaghan Welfare this coming fall term.

Meaghan will host lunch-hour workshops and discussions on the following topics:

- **Active Listening and Effective Communication (24 November 2021):** Critical to all effective relationships at work or home are effective communication skills. This workshop will identify key skills for becoming an active and effective communicator.
- **Cultivating Respectful Workplaces for Faculty (8 December 2021):** This workshop will explore how to foster and maintain respectful workplaces for faculty. With a specific focus on the uniqueness of the academic environment, we will identify and discuss best practices for cultivating a respectful environment.

All meetings will be held from 12.00 noon to 1.00 p.m. via Zoom. Please RSVP to Elizabeth Polnick (ep43@queensu.ca) if you'd like to attend.

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QUFA Voices publishes QUFA-related news and information for QUFA Members and provides QUFA Members with a forum to express their QUFA-related ideas and opinions. We want to hear from you! Please send your QUFA-related story ideas, news items, opinion pieces, letters to the editor, photographs, and other submissions to the editor.

QUFA Voices is edited by Robert G. May. He can be reached at mayr@queensu.ca.

Organizing for a National Childcare Plan

The COVID-19 pandemic revealed longstanding problems within the Canadian childcare movement that governments and advocates are finally beginning to address

By Lisa Pasolli
Department of History

and Rebecca Hall
Department of Global Development Studies

Since March 2020, we have experienced what many call a “crisis of care,” as paid care workers have taken on enormous responsibility, workload, and risk, and countless others have attempted to conduct their jobs while tending to their most vulnerable loved ones, whether at a distance or crawling on our laps as we lecture. A glance backwards at the long history of care work, however, reminds us that this crisis of care is not an aberration from the norm, but rather an intensified expression of the underlying contradictions in our relationship to paid and unpaid care, labour that is, at once, necessary and undervalued. In this way, the underserved elderly, the burned-out care-workers, and the parents stretched to their limits tell us much, not about what is exceptional in this time, but about what already needed fixing.

As faculty whose academic labour rests on the care provided to our children at Queen’s Day Care Centre, and as scholars of the history and political economy of care, we have been paying close attention to the recent wins in the Canadian childcare movement while working to make sure those wins are realized in Ontario. Our commitment to advocacy has been strengthened through witnessing the extraordinary efforts of the Queen’s Day Care staff throughout the pandemic. At both



Markus Spiske / Unsplash

The federal government is trying to build a national childcare program, but it requires provincial buy-in. Many provinces and territories have participated in the program, but so far neither Ontario nor New Brunswick has struck a deal to provide their residents with affordable, \$10-a-day childcare.

centres on main and west campuses, staff have provided safe and consistent care through these tumultuous months. We asked Melanie Mayer and Camilla Barber, Directors of the main- and west-campus daycares, respectively, to tell us about their experiences providing childcare through the pandemic. They said:

One of our biggest struggles has been being able to consistently provide quality and engaging programming with the restrictive health measures that are continuously changing. Despite this challenge, it was incredible to see our educators evolve their

programming and adapt their interactions with the children to uphold our program statement to the best of their ability. The job itself has ultimately changed as a whole, and educators have had to take on an immense amount of additional responsibilities in their day, with no additional pandemic pay offered by the province.

The current federal government seems to have recognized that the care crisis requires a far-reaching response. In April’s budget speech, Finance Minister Chrystia Freeland promised over \$30 billion in funding to build an early learning and child care (ELCC) system. The centrepiece

ANNOUNCEMENT CAUT Workshop

The CAUT Workshop “Organizing for Climate Action” takes place

6-10 December 2021

Climate change is the pressing challenge of our generation, and academic associations can play a leading role in organizing their members to make our universities and colleges more sustainable.

This course is available to all QUFA Members. It includes an online module between 6-10 December 2021, and one 3-hour Webinar on 9 December 2021 from 12.00 noon to 3.00 p.m.

Questions can be directed to Dwayne Hodgson at hodgson@caut.ca.

Register before 1 December 2021 here:

https://registration.caut.ca/index.php?event_id=climate2021&language=e

of the federal plan is the promise to achieve an average of \$10-a-day care by 2026, a reduction in parent fees that would be life-changing for many families. But because the childcare crisis is about much more than parent affordability, the federal government has also promised that this funding will be used to improve accessibility in childcare services, support culturally appropriate Indigenous ELCC programs, focus on enhancing the higher quality not-for-profit sector, and increase wages and working conditions for early childhood educators and childcare workers.

The fulfilment of these federal promises requires provincial buy-in. So far, all provinces and territories except New Brunswick and Ontario have signed agreements, and while

the details vary, they all include affordability targets and a wage grid for early childhood educators. In other words, the agreements, while far from perfect, begin to recognize that care is a valuable public good, one that demands sustained public investment, not only to give all families access, but to ensure that caregivers are fairly compensated. As Barber and Mayer told us:

Increased funding through a national childcare plan would mean that our dedicated educators would finally be recognized as a valuable investment for the important work that they do every day. The childcare sector is largely overlooked; and not just during the pandemic.

This is something that the childcare movement— a dynamic lobby that includes feminist organizations, parents, anti-poverty activists, childcare workers, and unions—has been saying for decades. While still confronting the challenges and losses of the pandemic every day, childcare advocates also hope that this ongoing crisis has created a window of opportunity to finally, and meaningfully, invest in our care infrastructure.

This summer, inspired by this long history of advocacy and concerned with Ontario’s reticence to sign an agreement, we began organizing locally in support of a national childcare plan. We started with a morning of letter-writing in McBurney Park in September that saw more than 40 people come out to call and write to MPPs to express their support for a childcare plan. We also circulated a petition asking Kingston City Council to endorse a national childcare plan. Councillors Mary Rita Holland and Lisa Osanic took up the mantle and City Council passed the motion on 21 September 2021.

In October, we celebrated Childcare Worker and Early Childhood Educator

QUFA VOICES Voice Your Views!

If you have an opinion about anything you read in *QUFA Voices*, send us a letter to the editor!

mayr@queensu.ca



Day by organizing a community book drive for local daycares, including Queen’s Central and West campus. At this event, we asked participants to share the reasons why a childcare plan matters to them. In their stories, we saw the shared concerns between daycare workers, parents and other caregivers: the need to properly compensate and value care work. One participant, a grandmother and former childcare worker who has been active in the childcare movement for fifty years, explained that one challenge of the movement is the short-term nature of early childcare needs. Indeed, while the caregiving needs of very young children are intense, they are also short-lived. But while attending to this life stage is temporary for some, it is a vocation for others; thus, our organizing is built around the goal of solidarity and sustained change. And the hope that, while we continue to weather this intensified crisis of care, this can also be a time of repair.

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GRIEVANCE CORNER

Your Rights and the Collective Agreement

QUFA Members should be aware that the Collective Agreement is sometimes affected by legislative changes or judicial interpretations

By **Peggy Smith**
Grievance Officer, QUFA

The Collective Agreement (CA) is a living document. This means that when interpreting and enforcing your negotiated rights over the life of a CA, QUFA must be aware of and apply any legislative changes or judicial interpretations that are issued during the term of the agreement.

Last month, I outlined the impact of Regulation 131/16 of the Ministry of Training, Colleges and Universities Act on the interpretation of Articles 15 and 18.¹ This month, I want to alert you to several other issues that that may be of interest.

Management's Right to Require Faculty to be Fully Vaccinated Against COVID-19

On 17 August 2021, the Ontario Government announced the intent to require mandatory COVID-19 vaccinations in high-risk settings, including universities. On 31 August, the government formally directed all postsecondary institutions to require proof of vaccination against COVID-19 from all faculty, staff, contractors, volunteers, and students when attending campus in person. QUFA immediately secured a legal opinion to help guide our response and representation of our Members.

Based on the advice provided, we did not grieve the right of the University to enact the vaccine mandate. Rather, we acted to ensure the policy was administered in a reasonable way. We ensured that all Members were given the opportunity to request accommodation under the Ontario

Human Rights Code if needed, and that any consequences imposed for refusing to comply with the policy were carefully reviewed on a case-by-case basis. To date, the principles on which we based our response have been upheld under each of the arbitral awards issued on the topic. We are closely monitoring the situation, and we will continue to enforce best practices as the law evolves.

The Requirement to Grieve Human Rights Allegations

On 22 October 2021, the Supreme Court of Canada ruled that, absent a clear statutory intent to the contrary, an arbitrator has exclusive jurisdiction to consider a human rights claim arising from the interpretation or application of a CA. This decision could effectively overrule the current understanding in Ontario that a member may elect to proceed directly to the Tribunal with a human rights complaint.

While we wait for clarity and direction from the courts, QUFA is taking a cautionary approach, and advising Members to bring all human rights complaints to the attention of the Grievance Officer for consideration under the grievance process in the CA.

The Obligation to Investigate Allegations of Workplace Harassment

Recently, the University's Workplace Harassment and Discrimination Policy was amended to clarify the requirement of the University under the Occupational Health and Safety Act to undertake an investigation into allegations of workplace harassment and discrimination. This obligation is typically triggered when a complainant completes a formal complaint form and submits it to the intake office for review. However, an investigation may also be triggered when the University becomes aware



For information about the impact of MTCU Regulation 131/16 on Articles 15 and 18 of the CA, please read **Grievance Corner in the October 2021 issue of QUFA Voices.**

of evidence of potentially systemic issues of workplace harassment or discrimination brought to their attention by Members, heads, deans, or QUFA. It is important to note that, as the bargaining agent, QUFA does not investigate. Rather, it plays a supporting role for both complainants and respondents to a complaint. For further information, please see the new "Grievance" link on the QUFA Web site.²

Ask First

Please feel free to contact me directly if you have any questions about the interpretation of these or other rights in the CA. As new information becomes available, it will be reported here. In the interim, remember: if you aren't sure, ask first.

Notes

¹<https://www.qufa.ca/wp-content/uploads/2021/10/101-QUFA-Voices-Oct-2021-REVISED.pdf>

²<https://www.qufa.ca/grievance/>

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